



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
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E. Crebert 9-10-90

| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|---------------|-------------|-----------------------|---------------------|
| | | | |

07/303,952 01/31/89 RAEMER

| | |
|---------------------|--------------|
| D EXAMINER 70160001 | |
| ARTWORK, A | PAPER NUMBER |
| | 12 11/20 |

DATE MAILED:
337

10/03/90

NOTICE OF ALLOWABILITY

PART I.

- ☒ This communication is responsive to 9/4/90
- ☒ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
- ☒ The allowed claims are 56-63
- ☐ The drawings filed on _____ are acceptable.
- ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has [] been received. [] not been received. [] been filed in parent application Serial No. _____, filed on _____
- ☒ Note the attached Examiner's Amendment.
- ☒ Note the attached Examiner Interview Summary Record, PTOL-413.
- ☐ Note the attached Examiner's Statement of Reasons for Allowance.
- ☐ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
- ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☒ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
 - ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. _____. CORRECTION IS REQUIRED.
 - ☐ The proposed drawing correction filed on _____ has been approved by the examiner. CORRECTION IS REQUIRED.
 - ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
 - ☒ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- ☒ Examiner's Amendment
- ☒ Examiner Interview Summary Record, PTOL-413
- ☐ Reasons for Allowance
- ☐ Notice of References Cited, PTO-892
- ☐ Information Disclosure Citation, PTO-1449

- ☐ Notice of Informal Application, PTO-152
- ☐ Notice re Patent Drawings, PTO-948
- ☐ Listing of Bonded Draftsmen
- ☐ Other

Edgar S. Burr

EDGAR S. BURR
S.P.E.
GROUP ART UNIT 337

Serial No. 303,952

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Art Unit 337

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Pusuant a telephone conversation with David K.S. Cornwell, attorney for the applicant, the following authorized changes have been entered.

d1 In the specification on page 20, line 38, ~~--~~The absorbed water and carbon dioxide react according to the reaction $\text{CO}_2 + \text{H}_2\text{O} = \text{H}_2\text{CO}_3$ thereby providing a source of hydrogen ions to react with the pH sensitive dye. ~~--~~ has been inserted after "...water." but before "Suitable...".

In claim 56, line 13, "...a gas such as CO_2 ..." has been deleted and ~~--H₂CO₃--~~ substituted therefor.

In claim 58, line 10, "...a gas such as CO_2 ..." has been deleted and ~~--H₂CO₃--~~ substituted therefor.

In claim 59, line 8, "...a gas such as CO_2 ..." has been deleted and ~~--H₂CO₃--~~ substituted therefor.

In claim 60, line 10, "...a gas such as CO_2 ..." has been deleted and ~~--H₂CO₃--~~ substituted therefor.

In claim 61, line 11, "...a gas such as CO_2 ..." has been deleted and ~~--H₂CO₃--~~ substituted therefor.

In claim 62, line 4, "...device..." has been deleted and --

Serial No. 303,952

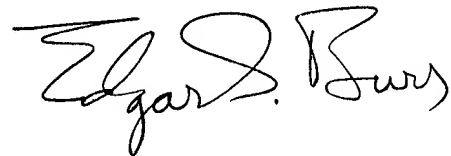
-3-

Art Unit 337

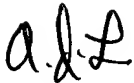
method-- substituted therefor; also in line 4, the colon after "...comprising:" has been deleted and --the steps of providing-- substituted therefor. In line 19 of claim 62, "...a gas such as CO2..." has been deleted and --H2CO3-- substituted therefor.

Authorization for this Examiner's Amendment was given in a telephone interview with David K.S. Cornwell on 9/4/90.

Any inquiry concerning this communication should be directed to Aaron J. Lewis at telephone number (703) 557-3125.



EDGAR S. BURR
S.P.E.
GROUP ART UNIT 337



Aaron J. Lewis
September 08, 1990



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: Box ISSUE FEE
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SAIDMAN, STERNE, KESSLER & GOLDSTEIN
1225 CONNECTICUT AVENUE
WASHINGTON, DC 20036

**NOTICE OF ALLOWANCE
AND ISSUE FEE DUE**

- ☐ Note attached communication from the Examiner
☐ This notice is issued in view of applicant's communication filed _____

| SERIES CODE/SERIAL NO. | FILING DATE | TOTAL CLAIMS | EXAMINER AND GROUP ART UNIT | DATE MAILED |
|---|-------------|--------------|-----------------------------|-------------|
| 07/303,952 | 01/31/89 | 008 | LEWIS, A 337 | 10/03/90 |
| First Named Applicant RAEMER, DANIEL | | | | |

TITLE OF INVENTION
CO2 INDICATOR AND THE USE THEREOF TO EVALUATE PLACEMENT OF TRACHEAL TUBES

| ATTY'S DOCKET NO. | CLASS-SUBCLASS | BATCH NO. | APPLN. TYPE | SMALL ENTITY | FEE DUE | DATE DUE |
|-------------------|----------------|-----------|-------------|--------------|----------|----------|
| 3 06270160001 | 128-207.140 | J42 | UTILITY | YES | \$310.00 | 01/03/91 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY Status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the Status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
B. If the Status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by a charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.

III. All communications regarding this application must give series code (or filing date), serial number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees.